

Applicant : Roger Thomas
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Filed : December 5, 2003
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Attorney's Docket No.: P-US-PR 1105

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REMARKS

Claims 2-16 are pending, with claim 5 being independent. Claim 1 is canceled by this amendment without waiver or disclaimer.

Applicant and Applicant's Representative thank the Examiner for the courtesies extended during the in-person interview conducted on December 19, 2006. Applicant believes that the present amendment and response reflects the substance of that interview.

Drawing Objections

The drawings stand objected to under 37 C.F.R. 1.84(p)(4) because reference character "52" has been used to designate both expulsion aperture and internal wall. Applicant has amended pages 5 and 6, paragraph [0016], to correct a typographical error to reflect that internal wall is referenced by character "54" and not "52". Applicant also has corrected a typographical error on page 5, paragraph [0013], to reflect that the recess is referenced by character "50" and not "52".

The drawings stand objected to under 37 C.F.R. 1.84(p)(5) because they do not include reference sign "s126" mentioned in the description on page 9, line 30. Applicant has amended page 9, paragraph [0026], to correct a typographical error. The reference sign should be "126" and not "s126". Reference sign "126" is illustrated at least, for example, in Figure 11.

The drawings stand objected to under 37 C.F.R. 1.84(p)(5) because they include a reference character, 80, not mentioned in the description. Applicant respectfully traverses this objection. Reference character 80 is mentioned in the description on at least, for example, page 7, paragraph [0020].

The drawings stand objected to under 37 C.F.R. 1.83(a) for not showing every feature specified in the claims 4, 9, and 13. Applicant respectfully traverses this objection with respect to claims 9 and 13. Applicant has amended claim 4 to obviate the objection.

Claim 13 has been amended to correct a typographical error that the first section includes a "loop" instead of a "hoop." The recited loop and catch feature are illustrated and describe at

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least, for example, in Figures 6 and 8 and the corresponding text, for example, on pages 7 and 8, paragraph [0022].

Claim 9 recites a transparent window located in one of the cap and the receptacle. At least, for example, in Figures 6-8 and the corresponding text, this feature is illustrated and described. For example, on page 6, paragraph [0019], the end cap section 60 may be manufactured of transparent plastic. Furthermore, for example, in the same paragraph it states: "By constructing the dome shape section 64 in transparent plastic, the operator of the planer can look into the debris collection container to determine how full [the] container is." Also, for example, on page 7, paragraph [0021], it describes that the circular end piece 82 (shown, for example, in Figures 6 and 8) on the receptacle can be manufactured of transparent plastic material to enable an operator to view inside the receptacle from the base.

With respect to claim 4, Applicant has amended the claim to recite that the cap is releasably attachable to the receptacle via a connector having a curved portion.

For the reasons discussed above, Applicant respectfully requests reconsideration and withdrawal of all objections to the drawings.

Specification

The specification has been amended to address the informalities raised by the examiner. Applicant respectfully requests reconsideration and withdrawal of the objections to the specification.

Provisional Double Patenting Rejection

Claims 1-16 stand provisionally rejected for obviousness-type double patenting as being unpatentable over claims 1-16 of co-pending Application No. 10/729,231 and amended claims 2-5, 8, 9 and 11-18 of co-pending application 10/729,204, now U.S. Patent No. 7,108,028. A terminal disclaimer is being filed concurrently with this Reply to remove this rejection.

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35 U.S.C. § 112, First Paragraph Rejection

Claims 9 and 10 stand rejected under 35 U.S.C. § 112, first paragraph, for failing to comply with the written description requirement. Specifically, the Office Action states that, with respect to claims 9 and 10, neither the specification nor the drawings provide support for a transparent window. Applicant respectfully traverses this rejection.

At least, for example, in Figures 6-8 and the corresponding text, this feature is illustrated and described. For example, on page 6, paragraph [0019], the end cap section 60 may be manufactured of transparent plastic. Furthermore, for example, in the same paragraph it states: "By constructing the dome shape section 64 in transparent plastic, the operator of the planer can look into the debris collection container to determine how full [the] container is." Also, for example, on page 7, paragraph [0021], it describes that the circular end piece 82 (shown, for example, in Figures 6 and 8) on the receptacle can be manufactured of transparent plastic material to enable an operator to view inside the receptacle from the base.

For at least these reasons, Applicant respectfully requests reconsideration and withdrawal of the § 112, first paragraph rejection of claims 9 and 10.

35 U.S.C. § 112, Second Paragraph Rejection

Claims 4 and 5 stand rejected under 35 U.S.C. § 112, second paragraph, for being indefinite. With respect to claims 4 and 5, Applicant has amended the claims to obviate the rejection.

With respect to claim 4, Applicant has amended the claim to recite that the cap is releasably attachable to the receptacle via a connector having a curved portion.

With respect to claim 5, Applicant has amended the claim to recite that the pegs are biased to the outer position.

For at least these reasons, Applicant respectfully requests reconsideration and withdrawal of the § 112, second paragraph rejection of claims 4 and 5.

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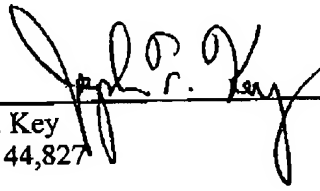
35 U.S.C. § 102(a), 102(e) and 103(a) Rejections

Claim 1, 11 and 14-16 stand rejected under 35 U.S.C. § 102(a) as being anticipated by Chang (6,629,548). Claims 1-3 and 6-8 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Wang (6,712,106). Claims 9 and 10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wang in view of Van Swearingen (3,952,484) and claims 9, 10, 12 and 13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wang in view of Schneider (6,520,365). As discussed during the in-person interview, Applicant has amended the claims to obviate the rejections by placing dependent claim 5 in independent form, including the limitations of the base claim, and Applicant has canceled independent claim 1 and amended the dependencies of the other claims as appropriate, thus rendering these rejections as moot. As such, Applicant respectfully requests reconsideration and withdrawal of the § 102 and § 103 rejections.

Applicant submits that all claims are in condition for allowance.

Enclosed is an authorization to charge deposit account 02-2548 for the Petition for Extension of Time fee and for the Terminal Disclaimer fee. Please apply any deficiencies or credits to deposit account 02-2548.

Respectfully submitted,

Date: 1/30/2007

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